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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11 KALMAN ISAACS, individually and on  
12 behalf of all others similar situated,

13 Plaintiff,

14 v.

15 ELON MUSK and TESLA, INC.,

16 Defendants.

No. 3:18-cv-04865-EMC

17 **[PROPOSED] ORDER**  
18 **CONSOLIDATING RELATED**  
19 **ACTIONS, APPOINTING TEMPUS**  
20 **INTERNATIONAL FUND SPC AND**  
21 **OPPORTUNITY UNIQUE FUND INC.**  
22 **AS LEAD PLAINTIFF, AND**  
23 **APPROVING THEIR CHOICE OF**  
24 **LEAD COUNSEL**

25 Judge: Hon. Edward M. Chen  
26 Courtroom: 5  
27 Date: November 15, 2018  
28 Time: 1:30 p.m.

[Additional Caption Below]

1 WILLIAM CHAMBERLAIN, on behalf of  
2 himself and all other similarly situated

3 Plaintiff,

4 v.

5 TESLA, INC. and ELON MUSK,

6 Defendants.

Case No.: 3:18-cv-04876-EMC

7 JOHN YEAGER, Individually and on Behalf of  
8 All Others Similarly Situated,

9 Plaintiff,

10 v.

11 TESLA, INC. and ELON MUSK,

12 Defendants.

Case No.: 3:18-cv-04912-EMC

13 CARLOS MAIA, on behalf of himself and all  
14 other similarly situated,

15 Plaintiff,

16 v.

17 TESLA, INC. and ELON MUSK,

18 Defendants.

Case No.: 3:18-cv-04939-EMC

19 KEWAL DUA, Individually and on Behalf of All  
20 Others Similarly Situated,

21 Plaintiff,

22 v.

23 TESLA, INC. and ELON MUSK,

24 Defendants.

Case No.: 3:18-cv-04948-EMC

JOSHUA HORWITZ, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

v.

TESLA, INC. and ELON R. MUSK,

Defendants.

Case No.: 3:18-cv-05258-EMC

ANDREW E. LEFT, Individually and on Behalf  
of All Other Similarly Situated,

Plaintiff,

v.

TESLA, INC., and ELON R. MUSK,

Defendants.

Case No.: 3:18-cv-05463-EMC

ZHI XING FAN, Individually and On Behalf of  
All Others Similarly Situated,

Plaintiff,

v.

TESLA, INC., and ELON R. MUSK,

Defendants.

Case No.: 3:18-cv-05470-EMC

SHAHRAM SODEIFI, Individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

TESLA, INC., a Delaware corporation, and  
ELON R. MUSK, an individual,

Defendants.

Case No.: 3:18-cv-05899-EMC

1 Before this Court is the Motion of the Tempus International Fund SOC (“Tempus”) and  
2 Opportunity Unique Fund Inc. (“OUF”) for (1) Consolidation of Related Actions, (2) Appointment  
3 as Lead Plaintiff, and (3) Approval of Their Choice of Lead Counsel (the “Motion”). The Court,  
4 having considered the Motion and the accompanying Memorandum of Points and Authorities and  
5 Declaration of Laurence D. King in Support of Tempus and OUFG’s Motion, finds that said Motion  
6 is well taken and, accordingly, it is hereby

7 ORDERED that the Motion is GRANTED; and:

8 (a) the above-captioned securities class actions are related and hereby consolidated under  
9 Case No. 18-cv-04865-EMC, and shall hereinafter bear the caption “In re Tesla, Inc. Securities  
10 Litigation”;

11 (b) Tempus and OUFG are hereby appointed as Lead Plaintiff in the consolidated case  
12 pursuant to Section 21D of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4;

13 (c) Tempus and OUFG’s choice of Lead Counsel is approved; and

14 (d) Kaplan Fox & Kilsheimer LLP is hereby appointed as Lead Counsel.

15 IT IS SO ORDERED.

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17 Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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21 HONORABLE EDWARD M. CHEN  
22 UNITED STATES DISTRICT JUDGE  
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